



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2019 Biennium

Bill #	HB0044	Title:	Generally revise laws related to district court judge numbers
Primary Sponsor:	Essmann, Jeff	Status:	As Introduced

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|--|--|--|
| <input checked="" type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>	<u>FY 2020 Difference</u>	<u>FY 2021 Difference</u>
Expenditures:				
General Fund	\$549,375	\$1,746,007	\$2,240,845	\$2,274,458
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>(\$549,375)</u>	<u>(\$1,746,007)</u>	<u>(\$2,240,845)</u>	<u>(\$2,274,458)</u>

Description of fiscal impact: This bill increases the number of District Court Judges in the 4th, 8th, 11th and 13th Judicial Districts. Costs include the necessary staff for each judge. Two judges will assume office January 1, 2018 and three will assume office January 2, 2019.

FISCAL ANALYSIS

Assumptions:

Judicial Branch

1. It is assumed that the state will provide funding for personal services and operating expenses to support 5 additional judges. The affected counties retain responsibility for space needed for staff and courtrooms.
2. Each judge's staff includes a judicial assistant, a court reporter, and a law clerk and costs include personal services and operating costs.
3. District Court Judges' salaries are set using the Elected State Officials Salary Survey conducted by Department of Administration as per 3-5-211, MCA. The benefit amounts used are as calculated by the Internet Budget and Reporting System (IBARS).
4. Salaries and benefits for the judge's staff (judicial assistants, law clerks, and court reporters) are based on IBARS amounts for FY 2018 and FY 2019. Salaries for FY 2020 and FY 2021 are based on IBARS amounts for FY 2019 plus 1.5% and 3% inflation respectively.
5. Salaries and benefits are assumed to be the following:

- District Court Judge - FY 2018 \$94,742 (\$189,484 x ½ year), \$288,244 (\$192,163 annual + 1@ ½ year) for FY 2019, 390,090 FY 2020 and \$395,942 FY 2021
 - Judicial assistant - FY 2018 \$35,374 (\$70,747 x ½ year), \$100,851 for FY 2019 (\$67,234 annual + 1@ ½ year), \$136,486 FY 2020 and \$138,533 FY 2021.
 - Law clerk – FY 2018 \$30,278 (\$60,556 x ½ year), and \$93,545 for FY 2019 (\$62,363 annual + 1@ ½ year) and \$126,597 FY 2020 and \$128,496 FY 2021.
 - Court reporter – FY 2018 \$31,449 (\$62,897 x ½ year), \$97,121 for FY 2019 (\$64,747 annual + 1@ ½ year), \$131,437 FY 2020 and \$133,408 FY 2021.
6. Variable cost estimates are based on historical costs in FY 2016 for each district.
 7. District Court Judges' communication costs are based on actual FY 2015 expenses averaged per existing judge in each of the affected Judicial Districts.
 8. Law book costs are based on actual FY 2016 expenses averaged per existing judge in each of the affected Judicial Districts.
 9. The Judicial Branch will incur monthly data network computer access charges assessed by the Department of Administration of \$60/mo/per computer (\$720/year/employee).
 10. Office supplies are estimated at \$300/year/employee.
 11. Staff training is estimated at \$300/year/employee (excluding judges).
 12. Copies are estimated at \$400/year/employee.
 13. Court reporter maintenance and software is estimated at \$1,000/year/new judge effective the following year after date of hire. First year of maintenance and software is assumed to be included in the purchase of equipment.
 14. One-time startup costs include the standard new employee package of a desk, chair, bookshelf, and file cabinet \$1,600/employee; computers \$1,200/employee for the judge's staff only; laptops \$2,200/judge; judge's robes \$500/judge; courtroom signs \$400/judge; MCA book costs \$1200/judge and law clerk; law books \$2,000/judge; office supply set up \$500/employee; fax machine \$450/judge; employee ads \$200/employee for the judge's staff; hearing room setup \$10,000/judge; court reporting equipment \$10,000/court reporter; and Audio system for courtroom for 4 of the judges \$25,000.
 15. The information for FY 2020 and FY 2021 are for a full year of costs plus 1.5% inflation each year.
 16. This bill provides a new District Court Judge to be elected and take office on 1/1/18 in the 4th Judicial District. The judge's staff includes a judicial assistant, court reporter and a law clerk and costs include personal services, operating and equipment costs. Total costs; \$259,622 for FY 2018, \$443,455 for FY 2019, \$450,107 for FY 2020, and 456,858 for FY 2021.
 17. This bill provides a new District Court Judge to be elected and take office on 1/2/19 in the 8th Judicial District. The judge's staff includes a judicial assistant, court reporter and a law clerk and costs include personal services and operating costs. Total costs - \$278,943 for FY 2019, \$434,916 FY 2020, \$441,439 for FY 2021.
 18. This bill provides a new District Court Judge to be elected and take office on 1/2/19 in the 11th Judicial District. The judge's staff includes a judicial assistant, court reporter and a law clerk and costs include personal services and operating costs. Total costs - \$278,270 for FY 2019, \$433,848 FY 2020, \$440,356 for FY 2021.
 19. This bill provides two new District Court Judges in the 13th Judicial District. One to be elected and take office on 1/1/18 and one to be elected and take office on 1/2/19. Each judge's staff includes a judicial assistant, a court reporter and a law clerk and costs include personal services and operating costs. Total costs - \$289,754 for FY 2018, \$745,339 FY 2019, \$921,974 for FY 2020 and \$935,804 for FY 2021
 20. Total costs estimated per year:
FY 2018 = \$549,375
FY 2019 = \$1,746,007
FY 2020 = \$2,240,845
FY 2021 = \$2,274,458

	<u>FY 2018</u> <u>Difference</u>	<u>FY 2019</u> <u>Difference</u>	<u>FY 2020</u> <u>Difference</u>	<u>FY 2021</u> <u>Difference</u>
<u>Fiscal Impact:</u>				
FTE	8.00	20.00	20.00	20.00
<u>Expenditures:</u>				
Personal Services	\$383,685	\$1,352,776	\$1,961,525	\$1,990,948
Operating Expenses	\$120,690	\$288,231	\$279,320	\$283,510
Equipment	\$45,000	\$105,000	\$0	\$0
TOTAL Expenditures	\$549,375	\$1,746,007	\$2,240,845	\$2,274,458
<u>Funding of Expenditures:</u>				
General Fund (01)	\$549,375	\$1,746,007	\$2,240,845	\$2,274,458
TOTAL Funding of Exp.	\$549,375	\$1,746,007	\$2,240,845	\$2,274,458
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
TOTAL Revenues	\$0	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$549,375)	(\$1,746,007)	(\$2,240,845)	(\$2,274,458)

Effect on County or Other Local Revenues or Expenditures:

- Counties are responsible for providing space for Judges and their staff and courtrooms (MCA 3-1-125).

*Sponsor's Initials*_____
*Date*_____
*Budget Director's Initials*_____
Date